

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

VALERIE JACKSON,
Plaintiff,

vs.

LUPE VALDEZ, et al.,
Defendants.

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**CIVIL ACTION
NO. 3:18-CV-2935-S**

**DEFENDANTS' UNOPPOSED MOTION TO
SUBSTITUTE COUNSEL AND EXTEND DEADLINE**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW Defendants Lupe Valdez, Marian Brown, Lizyamma Samuel, Samuel Joseph, Brenda Devers, Lola Pugh, Selma Littles, Pamela Nixon and Dallas County, Texas, (“the Defendants”) and move the Court to allow: 1) adding Chong Choe and Hilary Miller, as attorneys of record; 2) removing John Butrus as lead attorney of record; 3) substituting Chong Choe as lead attorney of record for the Defendants in this suit; and 4) extending the deadline to file an answer or other pleading, including, but not limited to a Motion to Dismiss Under Fed.R.Civ.12(b)(6), in the above entitled and numbered suit.

I.

On May 23, 2019, Tammy Ardolf was removed as attorney of record from this case due to her employment ending with Dallas County. Accordingly, John Butrus was substituted in as the attorney of record for Dallas County on this case, as well as all other cases involving Tammy Ardolf. To more effectively manage the caseload of the Federal Litigation division in the wake of counsel Ardolf’s departure, Chong Choe and Hilary Miller of the Civil Division of the Dallas

County District Attorney's Office have been assigned to this case. John Butrus will also remain on this case to stay informed of its progress.

II.

Chong Choe and Hilary Miller are members in good standing of the bar of this Court and will assume representation of Defendants in this suit. Mr. Choe's and Ms. Miller's contact information is as follows:

Chong Choe
Assistant District Attorney
Texas Bar No. 24012421
chong.choe@dallascounty.org

Hilary Miller
Assistant District Attorney
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411 Elm Street, 5th Floor
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Plaintiff's counsel is unopposed to this substitution.

III.

Additionally, as previously noted, Tammy Ardolf was removed as attorney of record on May 23, 2019 from this case due to her employment ending with Dallas County. One day prior to her removal as attorney of record, plaintiff filed a First Amended Complaint in this case; subsequent to counsel Ardolf's departure, this case and the responsibility to respond to the First Amended Complaint was assigned to Chong Choe and Hilary Miller on May 29, 2019. After a thorough review of the amended complaint and file, Choe contacted Plaintiff's counsel to advise that he would be taking over the case file and that a review of the alleged facts in the amended

complaint indicated a need to interview a significant number of witnesses, many of whom remain unknown at this time and; additionally, an answer or other responsive pleading will require extensive research in order to attempt to ascertain the identities of Plaintiff's allegations that include thirteen unknown individuals. Due to the need to attempt to learn the identities of, locate, schedule and meet with the many named, as well as unknown, witnesses, counsel Choe requested an extension until July 22, 2019 in order to file a proper answer or other pleading, including, but not limited to a Motion to Dismiss under Fed. R. Civ. 12(b)(6), in the above entitled and numbered suit. Plaintiff's counsel was amenable to Choe's request and is unopposed to this motion to extend the deadline for a response. Granting this motion will not prejudice Plaintiff or unduly delay any proceeding in this action and is arguably more likely to help speed a review of the merits of this case. Finally, as detailed in the Certificate of Conference, Plaintiff's counsel is not opposed to this extension of the deadline to respond.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Defendants pray the Court will enter an Order: 1) adding Chong Choe and Hilary Miller, as attorneys of record; 2) removing John Butrus as lead attorney of record; 3) substituting Chong Choe as lead attorney of record for the Defendants in this suit; and 4) extending the deadline until July 22, 2019 in order to file an answer or other pleading to the First Amended Complaint, including, but not limited to a Motion to Dismiss under Fed. R. Civ. 12(b)(6), in the above entitled and numbered suit.

Respectfully submitted,

JOHN CREUZOT
DISTRICT ATTORNEY

/s/ Chong Choe
CHONG CHOE

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF CONFERENCE

I, the undersigned counsel, state I conferred via with Plaintiff's counsel James P. Roberts via teleconference on May 30, 2019 and June 3, 2019 and via email on May 30, 2019. Plaintiff's counsel is not opposed to the relief requested in this motion.

/s/ Chong Choe
CHONG CHOE

CERTIFICATE OF SERVICE

I, the undersigned counsel, hereby certify that I electronically transmitted the attached document to the Clerk of the Court for the United States District Court for the Northern District of Texas using the CM/ECF electronic case filing system of the Court.

/s/ Chong Choe
CHONG CHOE